

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Wave Petroleum Operating, LLC,	)	
	)	
Plaintiff,	)	
	)	<b>ORDER</b>
vs.	)	
	)	
New IPT, Inc.,	)	
	)	
Defendant and Third-Party	)	
Plaintiff,	)	
	)	
vs.	)	
	)	Case No. 1:19-cv-272
Liberty Resources II, LLC d/b/a Liberty	)	
Resources, LLC; Liberty Oilfield	)	
Services, LLC; and Ed Cooper Consulting,	)	
Inc.,	)	
	)	
Third-Party Defendants.	)	

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On February 3, 2021, the parties filed a Stipulation to Amend Joint Proposed Scheduling/Discovery Plan and to vacate and Reset Trial. The court **ADOPTS** the parties' stipulation (Doc. No. 52) and amends the pretrial deadlines as follows:

1. The parties shall have until **February 15, 2021**, to make Rule 26(a)(1) disclosures.
2. The parties shall have until **March 31, 2021**, to move to join additional parties.
3. The parties shall have until **April 30, 2021**, to amend pleadings to add claims or defenses, including claims for punitive damages.
4. The parties shall have until **May 31, 2021**, to file other nondispositive motions (e.g., consolidation, bifurcation).
5. The parties shall have until **June 30, 2021**, to file threshold motions (e.g.,

jurisdiction, qualified immunity, statute of limitations). Discovery shall not be stayed during the pendency of such motions.

6. The parties shall have until **August 31, 2021**, to complete fact discovery and to file discovery motions
7. The parties shall provide the names of expert witnesses and complete reports under Rule 26(a)(2) as follows:
  - a.. Wave by **May 31, 2021**;
  - b. New IPT by **June 30, 2021**; and
  - c. Liberty Oilfield and Ed Cooper by **July 30, 2021**.
8. The parties shall have until **August 31, 2021**, to complete discovery depositions of expert witnesses.
- 11 The parties shall have until **September 30, 2021**, to file other dispositive motions (summary judgment as to all or part of the case).

The final pretrial conference scheduled for September 14, 2021, shall be rescheduled for **February 22, 2022**, at 9:00 a.m. before the magistrate judge by telephone. To participate in the conference, the parties should call (877) 810-9415 and enter access code 8992581. The jury trial set for September 27, 2021, shall be reschedule for **March 7, 2022**, at 9:00 a.m. in Bismarck before Judge Traynor. A six (6) day trial is anticipated.

**IT IS SO ORDERED.**

Dated this 4th day of February, 2021.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court